

December 16, 2011

Letter of Appeal, reference CC Docket No. 96-45 and CC Docket No. 02-6

FCC
Office of the Secretary
445 12th Street SW
Washington, DC 20554

ADS Advanced Data Services, Inc.
8000 Research Forest, STE 115-270
The Woodlands, TX 77382

Applicant: Wasco Union High School District
Billed Entity Number: 143921
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RE: Appeal of Administrator's Decision on Appeal of Implementation Extension Request for Application 684433, FRN 1871768.

Service Provider: Dell Marketing LP
Service Provider Identification Number: 143004340

Text Appealing: The Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control.

Specifically with respect to point Number 3 in the Facts, as provided by Dan Kettwich to USAC on September 13, 2011:

The language that was used by the USAC stated that, a deadline extension was not necessary at this time for FRN 1871768 and that invoices for FRN 1871768 could be submitted at any time prior to the end of January.

No mention of extending the Implementation Date was made.

I believe this conversation was with Carol on 10/13/2011, case 22-277751. I was also told USAC could search their Database for calls on this topic if needed.

In addition (note point 2 on the September 13, 2011 correspondence), clarification was made with the vendor. Note the attached email dated January 11, 2011.

A case was opened with USAC and we were given the green light to proceed. The vendor indicated it was OK to proceed. The purchase was made in July, well before any deadline expired. The District installed the equipment upon receipt. Finally, I think the terminology around this topic could be greatly improved - it is probably at the root as to why the wrong information was given. Implementation Extensions, Service Delivery Deadlines, FRN Extension Tables, Contract End Dates, and Last Date to Invoice...just to mention a few.

Thanks



Dan Kettwich
E-rate Manager